THE BOMBAY RACE-COURSES LICENSING ACT, 1912.

CONTENTS.

PREAMBLE

SECTIONS

BOMBAY ACT No. III OF 1912.][1]

[THE BOMBAY RACE-COURSES LICENSING ACT, 1912]*

[6th June 1912]

Amended by Bom. 4 of 1931.

Adapted and modified by the Adaptation of Indian Laws Order in Council.

Amended by Bom. 10 of 1938.

Adapted and modified by the Bombay Adaptation of Laws (State and Concurrent Subjects) Order, 1956.

Amended by Bom. 48 of 1958.

Amended by Mah. 44 of 1974. (24-10-1974)†

An Act to provide for the licensing of race-courses in the [2][State of Bombay].

WHEREAS it is expedient to make provision for the [3][regulation, control and management of horse racing and all matters directly or indirectly connected therewith] in the [2][State of Bombay]; It is hereby enacted as follows:—

1. Short title and extent.—*(1)* This Act may be called the Bombay Race-courses Licensing Act, 1912.

(2) [4][This section extends to the whole of the State of Bombay.] The rest of the Act extends only to such areas as the [5][[6][State] Government] may

1. For Statement of Objects and Reasons, *see Bombay Government Gazette*, 1912, Part VII, page 131 for Report of Select Committee *see ibid*, 1912, Part VII, page 132, and for Proceedings in Council, *see ibid*, 1912, Part VII, pages 221 and 471.
2. These words were substituted for the words "Bombay Presidency" by Bom. 48 of 1958, S. 3 (a).
3. These words were substituted for the original by Bom. 10 of 1938, S. 2.
4. This sentence was substituted for the original by Bom. 48 of 1958, S. 3 (b).
5. The words "Provincial Government" were substituted for the words "Governor in Council" by the Adaptation of Indian Laws Order in Council.
6. The word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

* This Act was extended to that part of the State of Bombay to which immediately before the commencement of Bom. 48 of 1958, it did not extend (*Vide* Bom. 48 of 1958, S. 2).

† This indicates the date of commencement of Act.

by notification in the [1][*Official Gazette*] direct :—

[2][Provided that on the commencement of the Bombay Race-courses Licensing and the Bombay Betting Tax Acts (Extension and Amendment) Act, 1958, the rest of the Act shall extend to those areas in which the Hyderabad Horse Racing and Betting Tax Regulation, 1358F., was in force immediately before such commencement.]

2. Definitions.—In this Act—

(a) "horse-race" means any race in which any horse, mare or gelding runs or is made to run in connection with any other horse, mare or gelding for any prize of what nature or kind soever, or for any bet or wager made or to be made in respect of any such horse, mare or gelding or the riders thereof, and at which more than twenty persons shall be present.

(b) "race.course" means any ground on which a horse.race can be held.

3. Prohibition against horse-racing on unlicensed race.courses.—*(1)* No horse.race shall be held save on a race.course for which a licence for horse. racing granted in accordance with the provisions of this Act is in force.

(2) The terms of such licence shall be published in the [1][*Official Gazette.*]

4. Application for licence for horse-racing.—*(1)* The owner, lessee or occupier of any race-course may apply to the [3][[4][State] Government] for a licence for horse-racing on such race-course.

Grant of licence for horse-racing.—*(2)* The [3][[4][State] Government] may withhold such licence or grant it subject to such conditions and for such period as [5][it] may think fit. [6][Such conditions may provide for—

(a) the payment of a licence fee;

(b) the amount of stakes which may be allotted for different kinds of horses;

(c) the measures to be taken for the training of persons to become jockeys; and

(d) such other matters, whether directly or indirectly connected with horse-racing, for which, in the opinion of the [4][State] Government, it is necessary or expedient to make provision in the licence.]

[7]*(3)* The [3][[4][State] Government] may by such licence authorize the licencee to grant, subject to such conditions as shall be specified by the

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1. The words "*Official Gazette*" were substituted for the words "*Bombay Government Gazette*" by the Adaptation of Indian Laws Order in Council.
2. This proviso was added by Bom. 48 of 1958, S. 3 (b).
3. The words "Provincial Government" were substituted for the words "Governor in Council" by the Adaptation of Indian Laws Order in Council.
4. This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.
5. The word "it" was substituted for the word "he" by the Adaptation of Indian Laws Order in Council.
6. This portion was inserted by Bom. 10 of 1938, S. 3.
7. This sub-section and the word "and" were inserted by Bom. 4 of 1931, S. 9 (a) (i).
8. These words were deemed always to have been substituted with effect from the 1st day of May 1973 for the words "to any book-maker for such period" by Mah. 44 of 1974, S. 2.

[2][4][State] Government] in such licence, a licence or permit [3][to any book-maker to carry on his business or vocation or to act as a book-maker or turf commission agent in respect of horse-races, held on a race-course, being a race-course which is situated in this State or outside it. The licence may be granted for the period] not exceeding the period of the licence granted to the licensee as the licensee may think fit;]

Cancellation of licence.—[1][*(4)*] The [2][3][State] Government] may at any time cancel any licence granted under this section in the event of any breach of the conditions subject to which it was granted.

5. Penalty for taking part in horse-race on unlicensed race-course. — Whoever takes part in any horse-race on any race-course for which a licence granted in accordance with the provisions of section 4 is not in force shall be punishable with fine which may amount to two hundred rupees.

6. Penalty for owner, etc., allowing racing in unlicensed place. — If any horse-race is held on any race-course for which a licence granted in accordance with the provisions of section 4 is not in force, any person being the owner, lessee or occupier of such race-course shall be punishable with fine which may amount to one thousand rupees.

7. Penalty for contravening conditions of licence.—[4][*(1)*] If any person to whom a licence has been granted in accordance with the provisions of section 4 contravenes any of the conditions subject to which such licence was granted, such person shall be punishable with fine which may amount to one thousand rupees.

[5][*(2)* If any person to whom a licence or permit has been granted by a licensee in pursuance of the provisions of sub-section (3) of section 4 contravenes any of the conditions subject to which such licence or permit was granted he shall be punishable with fine which may extend to one thousand rupees.]

8. Cognizance of offences under this Act.—No Court inferior to that of a Presidency Magistrate or of a Magistrate of the First Class shall try an offence under this Act.

9. Exemptions.—The [2][3][State] Government] may from time to time by general or particular order published in the [6]*[Official Gazette]* exempt any horse-race from the operation of this Act.

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1. Sub-section (3) was renumbered as sub-section (4), *ibid*, S. 9 (a) (ii).
2. The words "Provincial Government" were substituted for the words "Governor in Council" by the Adaptation of Indian Order in Council.
3. This word was substituted for word "Provincial" by the Adaptation of Laws Order, 1950.
4. Section 7 was renumbered as 7 (1), *ibid*, S. 9 (b).
5. Sub-section (2) was inserted by Bom. 4 of 1931, S. 9 (b).
6. The words "*Official Gazette*" were substituted for the words "*Bombay Government Gazette*" by the Adaptation of Indian Laws Order in Council.